

SUMMARY SHEET – RIGHTS OF WAY APPLICATIONS

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AFFECTED GRANTS: Common Schools, Pine Hills School, MSU Morrill

AFFECTED COUNTIES: Carter, Cascade, Chouteau, Gallatin, Lewis & Clark, Madison,
Phillips, Pondera, Powder River, Rosebud, Teton

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14483
R/W Purpose:	two buried telephone communications lines
Lessee Agreement:	ok
Acreage:	0.351
Compensation:	\$100.00
Legal Description:	20-foot strip through Lot 4, Sec. 19, Twp. 27N, Rge. 11E, Chouteau County
Trust Beneficiary:	Pine Hills School
Classification:	III



Applicant is upgrading service capabilities in the Big Sandy area and have submitted 13 applications for locations on state trust lands (remainder of applications follow on this agenda). With the addition of these cables, improved home service will be realized. The Department recommends approval

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14484
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	2.773
Compensation:	\$971.00
Legal Description:	20-foot strip through W2W2, NE4NW4, Sec. 17, Twp. 27N, Rge. 12E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14485
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	2.424
Compensation:	\$848.00
Legal Description:	20-foot strip through W2W2, Sec. 29, Twp. 27N, Rge. 12E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14486
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	2.424
Compensation:	\$788.00
Legal Description:	20-foot strip through W2W2, Sec. 32, Twp. 27N, Rge. 12E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14487
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	1.019
Compensation:	\$357.00
Legal Description:	20-foot strip through SW4NE4, NW4SE4, Sec. 19, Twp. 27N, Rge. 13E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14488
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	4.845
Compensation:	\$1,696.00
Legal Description:	20-foot strip through S2S2, E2E2, Sec. 16, Twp. 28N, Rge. 10E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14489
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	2.43
Compensation:	\$851.00
Legal Description:	20-foot strip through W2NW4, S2SE4, Sec. 16, Twp. 28N, Rge. 11E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14490
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	4.833
Compensation:	\$1,692.00
Legal Description:	20-foot strip through W2W2, S2S2, Sec. 16, Twp. 28N, Rge. 12E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14491
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	0.605
Compensation:	\$136.00
Legal Description:	20-foot strip through NE4NE4, Sec. 9, Twp. 28N, Rge. 13E, ‘ Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14492
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	0.387
Compensation:	\$100.00
Legal Description:	20-foot strip through NE4SE4, Sec. 21, Twp. 28N, Rge. 14E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14493
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	1.458
Compensation:	\$510.00
Legal Description:	20-foot strip through S2SW4, SW4SE4, Sec. 36, Twp. 29N, Rge. 9E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14494
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	1.212
Compensation:	\$424.00
Legal Description:	20-foot strip through N2NW4, Sec. 21, Twp. 29N, Rge. 10E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

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APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Triangle Telephone Cooperative, Assoc. P O Box 1220 Havre MT 59501
Application No.:	14495
R/W Purpose:	a buried telephone communications line
Lessee Agreement:	ok
Acreage:	0.485
Compensation:	\$170.00
Legal Description:	20-foot strip through NW4NW4, Sec. 36, Twp. 29N, Rge. 10E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



See explanation under Application No. 14483, Page 1.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Central Montana Communications, Inc. P O Box 751 Havre MT 59501
Application No.:	14496
R/W Purpose:	an overhead telecommunications cable
Lessee Agreement:	N/A (navigable river crossing)
Acreage:	0.35
Compensation:	\$122.00
Legal Description:	20-foot strip across the Missouri River in Lot 2, Sec. 9, Twp. 24N, Rge. 9E, Chouteau County
Trust Beneficiary:	Common Schools
Classification:	III



Applicant is replacing an existing overhead telephone cable with a fiber optic cable. There was no easement granted for the previous line. Replacing the existing line with the fiber optic capability will increase service in the Fort Benton Area. The Department recommends approval.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Catherine Halver HC63 Box 5045 Dodson MT 59524
Application No.:	14497
R/W Purpose:	a private access road to a single-family residence and associated outbuildings and for conducting normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	4.38 (1.46 as to Sec. 24; 1.10 as to Sec. 25 and 1.82 as to Sec. 26)
Compensation:	\$986.00
Legal Description:	30-foot strip through S2SW4, SW4SE4, Sec. 24; NW4NW4, Sec. 25 and S2NE4, Sec. 26, Twp. 26N, Rge. 26E, Phillips County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Tongue River Electric Cooperative, Inc. P O Box 138 Ashland MT 59003
Application No.:	14498
R/W Purpose:	an overhead electric distribution line
Lessee Agreement:	N/A (Historic)
Acreage:	0.99
Compensation:	\$149.00
Legal Description:	20-foot strip through N2NW4, SW4NW4, Sec. 16, Twp. 5S, Rge. 43E, Rosebud County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Tongue River Electric Cooperative, Inc. P O Box 138 Ashland MT 59003
Application No.:	14499
R/W Purpose:	an overhead electric distribution line
Lessee Agreement:	N/A (Historic)
Acreage:	2.67
Compensation:	\$401.00
Legal Description:	20-foot strip through E2NW4, NW4NE4, NE4SW4, SW4SW4, Sec. 36, Twp. 5S, Rge. 42E, Rosebud County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Gordon Schlepp P O Box 207 Brady MT 59416
Application No.:	14500
R/W Purpose:	a private access road to a single-family residence and associated outbuildings and for conducting normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	1.9
Compensation:	\$428.00
Legal Description:	30-foot strip through S2NE4, Sec. 22, Twp. 27N, Rge. 2W, Pondera County
Trust Beneficiary:	MSU Morrill
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Paul Amos 1930 N Lyons Creek Road Wolf Creek MT 59648
Application No.:	14501
R/W Purpose:	a private access road to a single-family residence
Lessee Agreement:	N/A (Historic)
Acreage:	6.75
Compensation:	\$3,038.00
Legal Description:	30-foot strip through E2SW4, S2NW4, NE4NW4, N2NE4, Sec. 16, Twp. 14N, Rge. 4W, Lewis & Clark County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	John P and Antoinette Scully P O Box 986 Ennis MT 59729
Application No.:	14502
R/W Purpose:	a private access road to a single-family residence and associated outbuildings and for conducting normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	3.66
Compensation:	\$5,490.00
Legal Description:	30-foot strip through E2E2, Sec. 16, Twp. 1N, Rge. 2E, Gallatin County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	John P and Antoinette Scully P O Box 986 Ennis MT 59729
Application No.:	14503
R/W Purpose:	a private access road to a single-family residence and associated outbuildings and for conducting normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	3.66
Compensation:	\$7,320.00
Legal Description:	30-foot strip through NE4, W2SE4, Sec. 16, Twp. 7S, Rge. 1W, Madison County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Dana Ranch Co., Inc. 2004 Centennial Drive Great Falls MT 59404
Application No.:	14504
R/W Purpose:	a private access road to ranch headquarters, including associated outbuildings and for conducting normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	0.44
Compensation:	\$100.00
Legal Description:	30-foot strip through NE4NE4, Sec. 34, Twp. 15N, Rge. 1E, Cascade County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Dana Ranch Co., Inc. 2004 Centennial Drive Great Falls MT 59404
Application No.:	14505
R/W Purpose:	a private access road to ranch headquarters, including associated outbuildings and for conducting normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	0.68
Compensation:	\$153.00
Legal Description:	30-foot strip through SW4SW4, Sec. 26, Twp. 15N, Rge. 1E, Cascade County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Ronald G Rosencranz 685 Ridgway Ridge Road Hammond MT 59332
Application No.:	14506
R/W Purpose:	a private access road to conduct normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	4.58
Compensation:	\$573.00
Legal Description:	30-foot strip through NW4NW4, S2NW4, NE4SW4, N2SE4, Sec. 16, Twp. 3S, Rge. 58E, Carter County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Lower Yellowstone Rural Electric Cooperative, Inc. P O Box 1047 Sidney MT 59270
Application No.:	14507
R/W Purpose:	an overhead electric distribution line
Lessee Agreement:	needed
Acreage:	0.638
Compensation:	\$112.00
Legal Description:	20-foot strip through SW4SW4, Sec. 36, Twp. 24N, Rge. 55E, Richland County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made to provide service to an existing oil well known as Continental Hill 1-36 H and additional wells on adjoining Section 35 (not trust land). Applicant is in the process of obtaining the settlement statement from the surface lessee. No easement will be issued until the settlement statement is complete. The Department recommends approval of this request pending receipt of the settlement statement.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Richard and Karen Lohman P O Box 381 Choteau MT 59422
Application No.:	14508
R/W Purpose:	a private access road to a single-family residence and associated outbuildings
Lessee Agreement:	ok
Acreage:	0.269
Compensation:	\$173.00
Legal Description:	30-foot strip through E2SE4, Sec. 36, Twp. 24N, Rge. 5W, Teton County
Trust Beneficiary:	Common Schools
Classification:	III



This application is presented as a part of the Jensen/Higgins Ranch easement issue discussed at the January 22 Land Board meeting. The original easement granted in 1977 to Robert and Margaret Sue Jensen and Edward and Shirley Nordahl was to provide access to the respective parties personal property. The Nordahls sold their property to Richard and Karen Lohman, who have used the portion of the 1977 easement leading to their house. Due to the access issues on this state trust land parcel, the Lohmans have requested that their interest in the 1977 easement be severed from the Jensens and request a permanent easement for that specific portion of the road they currently utilize. In keeping with the Department's recommendation that the 1977 easement area be fenced so as to avoid conflicts with livestock and vehicle use, the Lohmans have requested that the easement width be increased from the existing 10 feet to 30 feet. The Department continues to work with the Jensens and their attorney regarding the remainder of the easement. The Department recommends approval of this easement request of the Lohmans to sever their interest in the 1977 easement and issue a new easement solely in their name.

Rights of Way Applications

February 19, 2008

APPLICANTS AND RIGHTS OF WAY INFORMATION

Applicant:	Leonard and Jennifer Bauer 2101 US Hwy. 12 East Garrison MT 59731
Application No.:	11079 Amendment
R/W Purpose:	a private access road to a single-family residence and associated outbuildings, including an overhead electric powerline and a buried telephone line and for conducting normal farming and ranching activities
Lessee Agreement:	N/A (Historic)
Acreage:	0.281
Compensation:	\$112.00
Legal Description:	30-foot strip through NE4NE4, Sec. 16, Twp. 3S, Rge. 45E, Powder River County
Trust Beneficiary:	Common Schools
Classification:	III



Application is made pursuant to §77-1-130, Historic Rights of Way. Applicants are successors in interest to a 30-year limited term easement on this road granted in 1998 under the first Private Access Road Policy enacted by the Land Board. That policy, previous to the 2001 Historic Right of Way statute, only allowed term easements to be granted for private roads regardless of whether the road was existing or new construction. This particular road would qualify under the Historic Right of Way statute as a permanent easement. Due to difficulties the Bauer's have experienced in selling their property due to the limited term of the easement, they are requesting that the Board amend this existing 30-year term easement to a permanent easement pursuant to the Historic Right of Way Statute. The uses defined in the 1998 easement were in existence prior to 1997 and, thus, applicant meets the qualifications for a permanent easement under the statute. Because of new values applicable under the Department's fee schedule for easements, an additional charge of \$112 is recommended. The Department recommends the Land Board approve this request to amend the limited term easement to a permanent easement.
